

Application No. 10/004,623
Amendment dated October 19, 2009
Reply to Office Action of September 2, 2009

Amendments to the Drawings:

Seven replacement sheets are submitted herewith for FIGS. 2 and 11-16. The replacement sheets include the drawing corrections requested by the Examiner in the September 2, 2009, Office Action. Specifically, reference numeral 200 has been eliminated from FIG. 2 and the legend circles of FIGS. 11-16 have been corrected for consistency across FIGS. 10-17. No new matter has been added.

REMARKS:

Status of Claims

Claims 18-23 and 30-34 were previously pending. Claims 18, 20, 23, 30, 31, and 34 are amended herein and claims 70-79 are newly added. Thus, claims 18-23, 30-34, and 70-79 are pending with claims 18, 30, 70, and 77 being independent.

Interview Summary

On October 13, 2009, the undersigned and the Examiner conducted an in-person interview regarding the present application. During the interview, the currently pending claims were discussed along with portions of the remarks found below. The Examiner indicated during the interview that the proposed claims appeared to be allowable over the art of record, but that additional searching was required. Applicant and the undersigned respectfully thank Examiner Cosimano for his efforts in preparing for the interview and for finding time for the interview.

Office Action

In the September 2, 2009, Office Action, the Examiner objected to the specification and rejected all pending claims as being anticipated by Wicks (US 5,990,805).

Specification and Drawing Amendments

With one exception, the specification and drawings have been amended herein as requested by the Examiner in the Office Action. No new matter has been added. In paragraph E on page 3 of the Office Action, the Examiner indicated that reference numeral 110 is not mentioned in the written description. Applicant notes that “computer 110” is mentioned at least on page 7, line 23, of the present application. As such, the reference to computer 110 remains in the drawings.

Selecting Weather Information based on Wireless Device Location

The pending claims now recite receiving a current geographic location of a wireless device from the wireless device and selecting natural phenomena data for transmission to the wireless

device based on the received location of the wireless device. Use of wireless device location to select natural phenomena data for transmission is disclosed at least within FIG. 10, page 18 (lines 27-29), and page 22 (lines 18-30) of the present application.

Applicant acknowledges that Wicks discloses pushing astronomical and meteorological information to a pager user based on a interest profile that defines “what types of information available through the service the pager user wishes to receive” (col. 4, ll. 4-9). However, Applicant submits that Wicks (when combined with any other cited reference) do not disclose using dynamic information (e.g., device location) to select natural phenomena data for transmission to a wireless device.

Specifically, Wicks interest profile uses only *static* information (e.g., “types” of information) as opposed to the “dynamic” location information utilized by embodiments of the present invention that change on an ongoing basis. Wicks does not disclose that its one and two-way pagers include location-determining functionality and the only two-way communication disclosed by Wicks is a request for the server to transmit astronomical or meteorological information (col. 4, ll. 46-50). In other words, Wicks’ disclosed pagers and static profile are inoperable to perform the functionality recited in the proposed claims. Thus, Wicks *static* profile information and pager functionality cannot anticipate or render obvious the proposed claims.

New Dependent Claims 73-74 and 78-79

New dependent claims 73-74 and 78-79 each recite additional dynamic information that may be utilized to select natural phenomena data for transmission to the wireless device. Specifically, claims 73 and 78 recite using an “activity schedule” to select natural phenomena data while claims 74 and 79 recite using “phenomena sensitivity” to select natural phenomena data. As discussed above, Wicks does not disclose the use of “dynamic” information such as device location, activity schedule, or phenomena sensitivity since it relies on a static interest profile for data selection.

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Conclusion

Applicant submits that all claims are now in a condition for allowance. Should any questions remain, the Examiner is encouraged to contact the undersigned. Any additional fee which is due in connection with this Amendment should be applied against our Deposit Account No. 501-791.

Respectfully submitted,

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